

7 FAM 1470

DOCUMENTING STILLBIRTH (FETAL DEATH)

(CT:CON-356; 02-18-2011)
(Office of Origin: CA/OCS/PRI)

7 FAM 1471 INTRODUCTION

(CT:CON-356; 02-18-2011)

- a. This sub-chapter provides policy guidance about consular documentation of stillbirth (fetal death) to a U.S. citizen abroad.
- b. 7 FAM 250 Appendix C provides further policy guidance regarding the consular services available in these cases, including bereavement referral, and disposition of remains.
- c. Form FS-240, A Consular Report of Birth Abroad of a Citizen of the United States of America (CRBA), may be issued to a child **born abroad** to a U.S. citizen parent(s) who dies shortly after birth, if requested by the parent(s), following procedures in 7 FAM 1440. Address questions about such cases to the Bureau of Consular Affairs, Directorate of Overseas Citizens Services, Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI) at ASKPRI@state.gov.
- d. In the case of a stillborn child, the consular officer may issue a Form DS-2060, Report of Death of an American Citizen Abroad, **provided** local authorities have issued a death certificate or the attending physician provides a statement regarding the stillbirth, **and** the parents submit required evidence of their own identity and citizenship. When in doubt consult CA/OCS/PRI (ASKPRI@state.gov). The remarks section of the DS-2060 should reflect the circumstances. (See 7 FAM 275).
- e. Form DS-2060, Report of Death of an American Citizen Abroad, or Form FS-240, CRBA, are **not** issued for a miscarriage. If it is a late term miscarriage which would be considered a stillbirth in the United States and the family asks for such a document, address questions to CA/OCS/PRI (ASKPRI@state.gov), which will provide immediate guidance regarding issuance of Form DS-2060. (See 7 FAM 270).
- f. At the present time, there is no specialized form for a Consular Report of Stillbirth. CA is reviewing the issue, in consultation with the CDC and interested non-governmental organizations (NGOs), and is exploring possible development of such a document. The new Consular Report of

Birth Abroad (CRBA) process effective January 2011 (7 FAM 1440) does not provide for typewriter or pen and ink adjustments to the document to reflect stillbirth.

7 FAM 1472 TERMS

(CT:CON-356; 02-18-2011)

- a. A stillbirth (or fetal death) is the death of a baby before delivery. Losing a child in this way is a devastating event, and when a baby dies before delivery, most people think of miscarriage. Both miscarriage and stillbirth are terms describing pregnancy loss (fetal death), but they differ according to when the loss occurs. There is no universally accepted definition of when a fetal death is called a stillbirth, and the meaning of this term varies internationally. This often makes it difficult to compare data on the occurrence of stillbirth. In the United States, a miscarriage (or spontaneous abortion) usually refers to a pregnancy loss before 20 weeks of gestation, and a stillbirth refers to a loss after 20 weeks. If the age is not known, then a baby weighing 350 or more grams is considered a stillbirth. Stillbirths are further classified in the United States as either early, late-term, or post-term. The U.S. Centers for Disease Control and Prevention advise:
 - (1) An early stillbirth is a fetal death occurring between 20 and 27 completed weeks of gestation.
 - (2) A late stillbirth occurs between 28 and 36 completed weeks.
 - (3) A stillbirth occurring between 37 and 40 completed weeks is considered a term stillbirth.
 - (4) A post-term stillbirth is one that occurs 41 or more completed weeks after gestation.
- b. The term "perinatal death" is used to refer to both stillborn infants and infants who die shortly after birth (under one week – 7 days).
- c. Neonatal deaths are variously defined as the death of a live-born infant during the first day, the first week, the first 27 days, or the first 28 days of life. Stillbirth occurs in about one in 200 pregnancies in the United States.
- d. When fetal death occurs after 20 weeks of pregnancy, it is referred to in the United States as stillbirth, fetal death, or Sudden Antenatal Death Syndrome.
- e. In the United States, a fetal death prior to 20 weeks is referred to as miscarriage.

7 FAM 1473 FOREIGN COUNTRY STANDARDS REGARDING DOCUMENTATION OF MISCARRIAGE OR STILLBIRTH

(CT:CON-356; 02-18-2011)

- a. Different countries have different standards regarding the distinction between miscarriage and stillbirth which can determine the host country policy on the issuance of a birth or death certificate.

For Example:

In the United Kingdom, the term miscarriage is used for an infant delivered showing no signs of life after 24 weeks gestation.

- b. Consular officers should advise CA/OCS/PRI (ASKPRI@state.gov) about local practices.

7 FAM 1474 U.S. STANDARD REPORT OF FETAL DEATH

(CT:CON-356; 02-18-2011)

- a. The U.S. Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC), National Center for Health Statistics (NCHS), Vital Records Section advises that the current U.S. standard vital certificates include a U.S. Standard Report of Fetal Death.
- b. In the United States, State laws require the reporting of fetal deaths, and Federal law mandates national collection and publication of fetal death data. Most states report fetal deaths of 20 weeks of gestation or more and/or 350 grams birthweight. However, a few states report fetal deaths for all periods of gestation. Fetal death data is published annually by the National Center for Health Statistics, in reports and as individual-record data files.

7 FAM 1475 CERTIFICATES OF BIRTH RESULTING IN STILLBIRTH AND CERTIFICATES OF STILLBIRTH

(CT:CON-356; 02-18-2011)

- a. In considering the Department's practice of issuing reports of death of American Citizen abroad, Form DS 2060, it is worth noting that many U.S. and foreign jurisdictions now have provisions for the issuance of a

civil record in these cases, in the form of a Certificate of Birth Resulting in Stillbirth or a Certificate of Stillbirth, whereas other jurisdictions only provide for the issuance of a fetal death certificate.

- b. The following U.S. states and foreign countries now issue such certificates:

U.S. State Government Certificates of Birth Resulting in StillBirth

Alaska Certificates of Birth Resulting in StillBirth (2009)
Arizona Certificates of Birth Resulting in StillBirth (2001)
Arkansas Certificates of Birth Resulting in StillBirth (2007)
California Certificates of Birth Resulting in StillBirth (2008)
Florida Certificates of Birth Resulting in StillBirth (2006)
Georgia Certificates of Birth Resulting in StillBirth (2008)
Indiana Certificates of Birth Resulting in StillBirth (2002)
Louisiana Certificates of Birth Resulting in StillBirth (2003)
Maine Certificates of Birth Resulting in StillBirth (2009)
Maryland Certificates of Birth Resulting in StillBirth (2003)
Massachusetts Certificates of Birth Resulting in StillBirth (2002)
Minnesota Certificates of Birth Resulting in StillBirth (2005)
Mississippi Certificates of Birth Resulting in StillBirth (2007)
Missouri Certificates of Birth Resulting in StillBirth (2004)
Montana Certificates of Birth Resulting in StillBirth (2008)
Nebraska Certificates of Birth Resulting in StillBirth (2008)
New Hampshire Certificates of Birth Resulting in StillBirth (2008)
New Jersey Certificates of Birth Resulting in StillBirth (2004)
North Dakota Certificates of Birth Resulting in StillBirth (2008)
Oklahoma Certificates of Birth Resulting in StillBirth (2008)
Rhode Island Certificates of Birth Resulting in StillBirth (2007)
South Carolina Certificates of Birth Resulting in StillBirth (2004)
South Dakota Certificates of Birth Resulting in StillBirth (2007)
Tennessee Certificates of Birth Resulting in StillBirth (2010)
Texas Certificates of Birth Resulting in StillBirth (2005)
Utah Certificates of Birth Resulting in StillBirth (2002)

Virginia Certificates of Birth Resulting in StillBirth (2003)

Wisconsin Legislature Certificates of Birth Resulting in StillBirth (2004)

U.S. States That Issue Certificates of Stillbirth

Colorado (2004)

Delaware (2004)

Idaho

Illinois

Iowa

Kentucky

Michigan (2002)

Ohio

Oregon (2006)

Pennsylvania Certificate of Stillbirth

Foreign Government Sites Certificates of Fetal Still Birth or Death

Ireland – How Parents Can Register a Stillbirth

U.K. Registration of Still Births

Scotland General Register – Registering a Stillbirth

Canada Stillbirth Database

7 FAM 1476 THROUGH 1479 UNASSIGNED